

Bill No. 32-01
Concerning: Recreation – County Board
and Area Advisory Boards
Revised: Nov. 21, 2001 Draft No. 3
Introduced: October 2, 2001
Enacted: November 27, 2001
Executive: December 6, 2001
Effective: March 7, 2002
Sunset Date: None
Ch. 29, Laws of Mont. Co. 2001

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN ACT to:

- (1) modify the membership and duties of the County Recreation Board and the recreation area advisory boards; and
- (2) generally amend County law regarding the County Recreation Board and the recreation area advisory boards.

By amending

Montgomery County Code
Chapter 41, Recreation and Recreation Facilities
Sections 41-21, 41-27, and 41-30

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Section 1. Sections 41-21; 41-27, and 41-30 of the Code are amended as follows:

ARTICLE III. RECREATION AREAS AND ADVISORY BOARDS.

41-21. Recreation board [— Created; composition; appointment and terms of members; *ex officio* members].

(a) There is a County Recreation Board. Each member is appointed by the County Executive and confirmed by the County Council for a 3-year term beginning on July 1. A member serves until a successor is appointed and confirmed.

(b) The voting members of the Board are:

(1) [2 representatives of] 1 representative from each recreation area advisory board; and

* * *

41-27. [Composition, appointment, terms and compensation of members; filling vacancies; *ex officio* members; advisors] Membership.

(a) Each recreation area advisory board consists of [12] 9 members and [3] 2 alternates, each of whom resides in the designated recreation area.

Each member is appointed by the county executive, subject to confirmation by the county council. Individual appointments to a board must reflect a wide diversity of recreational interests. The Executive must consider geographical representation from different neighborhood centers in the recreation area. In order to maintain continuity on each recreation area advisory board, [6] the Executive must appoint 3 members of each board [should be appointed] annually and appoint the 2 alternates every 3 years. [The terms of each] Each member [is] serves 3 years or until a successor is confirmed. A regular board member must not serve more than 2 consecutive full terms, but any member may be

reappointed after a lapse of one year. A vacancy occurring before a term expires is filled for the remainder of the unexpired term of the predecessor. Appointments to unexpired terms of less than two years are not a full term.

- (b) ~~[[Alternate members for each board shall be designated first]] [,] [[and second]] [and third] [[alternates]]~~ When the Executive appoints an alternate member of a recreation area advisory board, the Executive must designate whether the appointee would serve as the primary or secondary alternate. Alternate members may participate in board discussions but [may] must not vote unless acting [in the stead of] for an absent board member. [In the event] When a [vacancy is created by the resignation of a regular] board member resigns, [an] the first alternate [shall immediately fill such a vacancy according to the order of designation and shall thereupon have the rights and obligations of a regular board] becomes a full member for the remainder of the [unexpired] former member's term and the second alternate becomes the first alternate.

- (c) ~~[Each] A~~ municipality [which has within a designated recreation area] with an active recreation program in a designated County recreation area may designate [a representative] one or more representatives to serve as non-voting, *ex officio* members of the recreation area advisory board for that area.

- (d) The members of each board serve without compensation. The department of recreation must designate a [staff] department employee to advise each board, and the director of the department must ask [the board of education and] the Maryland-National Capital Park and

Planning Commission to have a staff member present at meetings of each board.

41-30. [Same —] Duties.

Each board [shall offer general advice and guidance to] must advise the county recreation board, [and, through the recreation board, shall advise] the county executive, the county council, [and] the director of the county department of recreation [on providing] , and the Montgomery County Planning Board about the appropriate number and nature of recreation programs, [on providing adequate] neighborhood and community parks, and [on providing adequate] facilities for [the] leisure [-time pursuits] activities and the well-being of county residents [and, in addition, may give attention to the following concerns:]. A board also may:

- (a) Study and appraise the existing and future recreation needs of its recreation area in terms of program, facilities and services, and suggest plans to meet those needs.

* * *

- (g) Inform the Regional Citizen Advisory Board about matters related to recreation and parks, and collaborate with the Regional Board on planning, conservation, environment, and other issues that affect park and recreation facilities and services.

Sec. 2. Transition.

- (a) Notwithstanding the reduction in membership required by the amendments to Code Section 41-27(a) in Section 1 of this Act, an individual who is a member of a recreation area advisory board when this Act takes effect continues to serve the remainder of the member's original term. The Executive must not appoint a new member or alternate member of a board until the number serving on that board is

80 less than the number allowed in Section 41-27(a) as amended by this
 81 Act.

82 (b) Until July 2004, notwithstanding the requirement for 3-year terms, the
 83 County Executive must appoint members of the County Recreation
 84 Board or a recreation area advisory board to a term of either 1, 2, or 3
 85 years to maintain staggered terms on each board.

86 *Approved:*

87 /S/ November 29, 2001

Blair G. Ewing, President, County Council Date

88 *Approved:*

89 /S/ December 6, 2001

Douglas M. Duncan, County Executive Date

90 *This is a correct copy of Council action.*

91 /S/ December 10, 2001

Mary A. Edgar, CMC, Clerk of the Council Date